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Thursday, 2 September 2004, 7.40 p.m.
New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Maquieira
	China	Mr. Wang Guangya
	France	Mr. De la Sablière
	Germany	Mr. Trautwein
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Dumitru
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Danforth

Agenda

The situation in the Middle East

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04-49874 (E)

The meeting was called to order at 7.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Lebanon, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Mohamad Issa, Secretary-General of the Ministry of Foreign Affairs and Emigrants of Lebanon and Vice-President of the Lebanese delegation to the General Assembly.

At the invitation of the President, Mr. Issa (Lebanon) took a seat at the Council table.

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/707, which contains the text of a draft resolution submitted by France, Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America. I should also like to draw the attention of members to document S/2004/699, containing the text of identical letters dated 30 August 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and to the President of the Security Council, and to document S/2004/706, containing the text of identical letters dated 1 September 2004 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and to the President of the Security Council.

I now give the floor to His Excellency Mr. Mohamad Issa, Secretary-General of the Ministry of Foreign Affairs and Emigrants of Lebanon and Vice-President of the Lebanese delegation to the General Assembly.

Mr. Issa (Lebanon) (*spoke in Arabic*): I should like to take this opportunity to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month and to commend your predecessor, the Permanent Representative of the Russian Federation, for his efforts last month.

Today the Council is considering a draft resolution introduced by the United States of America and France and supported by other States, including Germany and the United Kingdom — all of which are countries friendly to Lebanon. We recall that two previous resolutions on Lebanon, resolution 425 (1978) of 19 March 1978 and resolution 520 (1982) of 17 September 1982, were adopted by the Council, in the first instance because of Israel's aggression and occupation of southern Lebanese territory and the western Bekaa, and in the second instance when Israeli forces invaded Lebanese territory and occupied part of Beirut. Resolution 425 (1978) called for the withdrawal of all Israeli forces from all the Lebanese territories they had occupied; resolution 520 (1982) emphasized the determination of Lebanon to ensure the withdrawal of all non-Lebanese forces from Lebanon following the invasion of Lebanese territories and incursions into Beirut by Israeli troops.

Although we appreciate the interest shown by the United States, France, the United Kingdom and Germany — all of which are friendly countries, as I said — and their emphasis on Lebanon's sovereignty, territorial integrity and political independence, we must recall that it is the Lebanese people who have a stake in those matters. The country that attacks Lebanon, continues to occupy parts of its territory and threatens its political independence with continued air, land and sea aggression — Israel — was forced to leave the western Bekaa and the south by the Lebanese national resistance but continues to occupy parts of Lebanon.

In that regard, there are no militias in Lebanon. The Lebanese national resistance appeared following the Israeli occupation of Lebanese territory and will remain as long as the Israelis occupy parts of Lebanon, because we look forward to putting an end to the Israeli occupation. The resistance forces exist alongside the Lebanese national forces; our military authorities determine their presence and their size according to our

needs. The authority of the Lebanese State extends over all of Lebanese territory except the Israeli-occupied areas, which we are resolved to liberate by peaceful means, if possible.

The draft resolution submitted to the Council for its consideration today confuses two matters. The first is the unique relations between Lebanon and Syria, which achieve their common interests, particularly Lebanon's interests. Friendly Syria has helped Lebanon to maintain security and stability within its borders. It has fended off the radicalism and violence that are fed by Israel's extremism and violence against the Palestinians, which threaten their security and stability. At the same time, Israel has also threatened Lebanon's security and stability by violating its land borders, territorial waters and airspace. All those violations have been reported by Lebanon and by the United Nations Interim Force in Lebanon to the relevant United Nations organs. The second matter is purely internal, and relates to the presidential electoral process now under way in Lebanon because the mandate of its President will come to an end on 23 November 2004.

Syrian troops came to Lebanon in response to our legitimate request. Their presence is guided by the Taif Agreement, which had the support of the Security Council, as well as by agreements concluded between the two sovereign States. Those troops have been redeployed many times, and their presence is invisible. They contribute to rebuffing Israel's radical and excessive actions, which continue to include totally unjustifiable and excessive acts of violence. Those reactions in turn generate Palestinian violence, pushing the region into a dangerous and unpredictable whirlwind. To say that Syria supports radical movements in Lebanon in therefore untrue. To the contrary, as we have said, it supports a national resistance movement seeking to liberate the territories occupied by Israel.

The draft resolution under discussion today refers to support for free and fair presidential elections in Lebanon. I do not believe that an issue such as this, which is an internal matter for a founding State Member of the United Nations, has ever been discussed in the Security Council with regard to any other Member State, and the Organization has never interfered in such a matter in the case of any other State. Lebanon's parliamentarians have been chosen by free and impartial elections, and, as representatives entrusted with Lebanon's future, its Constitution and its institutions, they have the right to take decisions pertaining to elections and to who is elected and how.

The legitimacy of the United Nations, the Charter and the Council's rules of procedure provide no justification for this draft resolution, which constitutes interference in the internal affairs of a State Member of the Organization. The draft resolution also discusses bilateral relations between two friendly countries, neither of which has filed any complaint with regard to those relations, which are guided by the agreement on coordination and cooperation they have signed. We therefore call for the withdrawal of the draft resolution.

The President (*spoke in Spanish*): I thank the representative of Lebanon for his kind words addressed to me.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution (S/2004/707) before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Angola, Benin, Chile, France, Germany, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Algeria, Brazil, China, Pakistan, Philippines, Russian Federation.

The President (*spoke in Spanish*): The result of the voting is as follows: 9 votes in favour, none against and 6 abstentions. The draft resolution has been adopted as resolution 1559 (2004).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Danforth (United States of America): The Security Council consistently has affirmed that it supports the full sovereignty and independence of Lebanon, free of all foreign forces. We believe Lebanon should be allowed to determine its own future and assume control of its own territory. Yet the Lebanese people are still unable to exercise their rights

as a free people to make those choices and to take those steps as a nation.

With France, we introduced the draft resolution on Lebanon and Syria; and with the sponsorship of Germany and the United Kingdom, we asked for a vote tonight, because the situation in Lebanon is moving very quickly. The Government of Syria has imposed its political will on Lebanon and has compelled the Cabinet and the Lebanese National Assembly to amend its Constitution and abort the electoral process by extending the term of the current President by three years. The final vote in the Assembly is scheduled for Friday, so it is imperative for the Security Council to address this issue now.

The Lebanese parliament and the Lebanese cabinet should express the will of the Lebanese people through a free and fair presidential electoral process. What the Lebanese people and we have witnessed over the past week in terms of Syrian actions is a crude mockery of this principle. It is clear that Lebanese parliamentarians have been pressured, and even threatened, by Syria and its agents to make them comply. We strongly support the extension of the control of the Government of Lebanon over all Lebanese territory, including southern Lebanon, as called for by the Security Council over the past four years. The continued presence of armed Hizbullah militia elements, as well as the presence of the Syrian military and Iranian forces in Lebanon, hinders that goal.

We believe that this situation — 14 years after the end of Lebanon's civil war and four years after the Security Council accepted unanimously the Secretary-General's report that Israel had complied fully with Security Council resolution 425 (1978) — is simply unacceptable. It is wrong for Syria to continue to maintain its forces in Lebanon, in flat contravention of the spirit and clear intent of the Taif Accord. And it would be very wrong of Syria to continue to interfere in the presidential electoral process in Lebanon. We have called on the Security Council to carry out its responsibility of supporting the full independence, sovereignty and territorial integrity of Lebanon, free after so many years from all foreign forces, and to support the Lebanese people in their ability to make their own national decisions, free at long last from outside coercion and dictate.

Mr. De la Sablière (France) (*spoke in French*): France welcomes the adoption of resolution 1559 (2004), which we co-sponsored.

Lebanon has been through several decades of upheaval. It has been confronted by war. Its internal stability and the stability of the region have been repeatedly and seriously threatened.

After the war, Lebanon began to rebuild, and it is committed to strengthening the rule of law, faithful to its democratic aspirations. After a very troubled period, Lebanon must be able to restore confidence and prosperity. That will come through the full restoration of its sovereignty and the free exercise of democracy.

Since 1978 — and long since it took note of Israel's withdrawal — the Security Council has been calling for respect for the territorial integrity, political independence and sovereignty of Lebanon. It has regularly reaffirmed those objectives. Today, the future of Lebanon is being seriously threatened by Syria's interference in the political life of the country and, in particular, in the electoral process — the reason for the current crisis — as well as by the continued occupation and the persistent presence of armed militias.

France is deeply concerned that Lebanon might retreat from the objectives that are constantly reaffirmed by the international community. That is why the rapid mobilization of and a decisive response by the Security Council seemed essential to us. The withdrawal of foreign forces from the entire territory of Lebanon and the dismantling of Lebanese and non-Lebanese militias should be delayed no longer. The electoral process should proceed without any foreign interference.

These demands, reiterated by the Security Council today, are in keeping with the position that it has regularly adopted for more than 25 years. The Council is not committing an act of interference by denouncing the risk to international peace and security represented by the current crisis. Rather, if it refrained from taking action, the Council would be sanctioning the inadmissible interference by a State in the internal affairs of another sovereign State.

France believes that by responding firmly today the Security Council is showing its confidence in the future of Lebanon. That future must include the full restoration of its sovereignty — not increased external interference.

Mr. Wang Guangya (China) (*spoke in Chinese*): Respect for sovereignty, independence, territorial integrity and the principle of non-interference in internal affairs in international relations constitutes the centrepiece of China's foreign policy. It is also a fundamental principle enshrined in the United Nations Charter. Adhering to that principle, China has always been resolute in supporting respect for, and the safeguarding of, the sovereignty, independence and territorial integrity of Lebanon.

The draft resolution co-sponsored by the United States and France touches on questions concerning presidential elections in Lebanon. In our view, those questions fall within the purview of the internal affairs of Lebanon and should be freely decided by the Lebanese people themselves. China is aware that the Permanent Representative of Lebanon clearly stated, in his recent letters to the President of the Security Council and to the Secretary-General, his Government's objection to the consideration of those questions by the Council. China respects the wishes of the Lebanese Government in that regard and hopes that all Council members will do so. On the basis of that position, China abstained in the vote on the draft resolution.

China has been closely following the developments in Lebanon and sincerely hopes that Lebanon will continue to maintain its stability and economic development. That would be in the interests of peace and stability in the Middle East region and would prevent new uncertainties from being introduced into the region.

I would like to take this opportunity to reiterate China's hope that the parties concerned will be able to satisfactorily resolve, through political negotiation, all of their problems, including those of the Palestinian-Israeli, Syrian-Israeli and Lebanese-Israeli tracks, so that a comprehensive, just and lasting peace in the Middle East can soon be achieved.

Mr. Baali (Algeria) (*spoke in French*): Algeria which is resolutely committed to strict respect for the sovereignty, territorial integrity, unity and independence of Lebanon, as well as for the principle of non-interference in the internal affairs of Lebanon and in its political and economic choices, decided to abstain on the draft resolution presented by the United States and France for a number of reasons.

First, the situation prevailing today in Lebanon does not appear to constitute a threat to international peace and security and is therefore not of a nature to prompt consideration, especially on an urgent basis, by the Security Council — still less a decision on its part.

Secondly, it is Israel that, by its policy of occupation and colonization of Arab lands, including the Lebanese enclave of Shaba'a, the Syrian Golan and the Palestinian territories of the West Bank, Gaza and East Jerusalem, and its policy of aggression against the countries of the region and of brutal repression of the Palestinian people, constitutes an incontrovertible threat to international peace and security — a threat that does require urgent consideration and effective measures by the Security Council to compel Israel to respect the decisions of the Council and to comply with international law.

My delegation would therefore have hoped to see the Security Council display towards Israel the same firmness it is today showing with respect to Lebanon by demanding that Israel withdraw its occupation forces from Arab lands within 30 days. It would undoubtedly gain credibility and would make a decisive contribution to the settlement of a painful problem that has been undermining the Middle East region for decades.

Thirdly, the Security Council must interfere neither in the internal affairs of States nor in bilateral relations between States, especially when these in no way pose a threat to international peace and security, because the Council's primary responsibility under the Charter is solely the maintenance of international peace and security. In that regard, the Council's consideration of an internal Lebanese matter constitutes an unfortunate precedent that must not be repeated, lest the Council be dragged seriously adrift, with consequences that would be detrimental to its credibility and to the Charter in both its letter and its spirit.

Fourthly, as a matter of principle, Algeria cannot associate itself with a draft resolution that includes even implicit threats against fraternal countries — countries, moreover, that respect international law.

Finally, bearing in mind the complex and multidimensional nature of the Middle East problem, Algeria believes that only a comprehensive, just and lasting settlement based on respect for international law, the principle of land for peace and Israel's

withdrawal from all occupied Palestinian and Arab lands can bring about a just and final peace throughout the region.

Mr. Akram (Pakistan): Pakistan abstained in the vote on the draft resolution just adopted by the Council, with nine votes in favour, as resolution 1559 (2004). We did so for the following reasons.

First, the resolution is not consistent with the Security Council's functions and responsibilities. Article 39 of the Charter stipulates that the Security Council shall determine the existence of any threat to the peace, breach of the peace or act of aggression and shall thereafter make recommendations for action. In this case, the resolution establishes no evidence of any urgent threat to peace. There has been no complaint from the country whose sovereignty and integrity the resolution purports to uphold. On the contrary, Lebanese representatives communicated to the Council their opposition to consideration of the draft resolution.

Secondly, the resolution addresses the wrong threat. If there is a threat to Lebanon it is well known; it does not arise from Syria. We construe the provisions of paragraph 2, as now worded, as constituting a reference to those foreign forces which have entered Lebanon uninvited and by the use of force.

Thirdly, the resolution goes beyond the mandate and the authority of the Security Council. Article 24, paragraph 2, of the Charter states that Security Council shall act in accordance with the purposes and principles of the United Nations. A fundamental principle of the United Nations is stated in Article 2, paragraph 7: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State". This resolution, in its sixth preambular paragraph and in its operative paragraph 5, intervenes in the internal affairs of Lebanon. Such intervention is unacceptable and is contrary to the Charter. It also sets an unfortunate precedent. It is, moreover, unclear, since it will be impossible for the Council to determine whether and when the constitutional rules of any country, in this case Lebanon, are, in the words of those paragraphs, "devised without foreign interference or influence". For that reason, this provision of the resolution is also unimplementable. Indeed, the Security Council will find it impossible to enforce changes in the national constitutions and rules of sovereign States.

We have acted on this resolution under the item on the Middle East. The Security Council must address the real threat to peace in the Middle East arising from the occupation of Palestinian and Arab territories, including territory of the Syrian Arab Republic. We trust that we shall not be deflected or diverted from that objective by the resolution which the Council has adopted today.

Mr. Denisov (Russian Federation) (*spoke in Russian*): Yesterday during the Council's discussion of the draft resolution on the situation in Lebanon proposed by our United States and French colleagues, we said that from our point of view its main purpose was to prevent further escalation of tension in the Middle East. We note that a high level of attention is being devoted to the situation in Lebanon. Any misstep could possibly exacerbate the situation in the region and lead to the emergence of a new pocket of instability in addition to the ongoing Israeli-Palestinian conflict and the situation in Iraq. There is also a danger of upsetting the fragile political balance in Lebanon itself.

Guided by those thoughts, we submitted for the Council's consideration the amendments with which members are familiar. Their purpose was to situate the draft resolution more in the context of an overall Middle East settlement and to prevent it from being one-sided and from concentrating solely on domestic Lebanese affairs. We believe that Russia's proposals improved the draft resolution submitted by France and the United States by making it more acceptable to all members of the Council.

Unfortunately, our proposals were not adopted. Therefore, we were unable to support the draft resolution.

Mr. Sardenberg (Brazil): Brazil abstained from voting on the draft resolution put before the Security Council this evening. We have been following very closely the events taking place in Lebanon. This interest comes from the friendly historic ties that link us to the Lebanese people. Suffice it to say that there is a large community of people of Lebanese descent in my country. Bilateral relations with Lebanon constitute a high priority for the Government of Brazil.

It is our view that resolution 1559 (2004) deals with matters that are essentially within the domestic jurisdiction of Lebanon. The existence of a dispute likely to endanger international peace and security has

not been properly characterized in the text. If it had been, the Security Council would have had to take into consideration the procedures for settlement of the dispute already adopted by the parties. Finally, we took into account the legitimate expression to the United Nations of the Governments of the countries specifically concerned that the matter under consideration is not within the Council's attributions.

The delegation of Brazil takes this opportunity to reiterate its full commitment to the promotion of peace and stability in the Middle East based on a just and comprehensive settlement in all tracks, in conformity with Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003); the Madrid terms of reference; the principle of land for peace; the existing agreements between the parties and the Arab League initiative of Beirut.

Mr. Maquieira (Chile) *(spoke in Spanish)*: The delegation of Chile voted in favour of this resolution because we share its philosophy regarding respect for the sovereignty, territorial integrity and the internal political process of States. Our support is also justified by the important amendments made to the original text, which made it possible to overcome some of the primary basic objections that our delegation had and which brought the resolution into line with my country's position of principle.

At the same time, the delegation of Chile wishes to state that this resolution in fact means once again a double standard in the Middle East conflict, as demonstrated by the sad lack of political will to deal with Israel's occupation of the West Bank, Gaza, and the Golan. It is also of concern that there is no mention of the peace plan, which Chile believes is the only viable mechanism for negotiations that can reduce tensions in the region and lead to a just and lasting peace in the Middle East.

Mr. Gaspar Martins (Angola): My country voted in favour of this resolution, as the concerns expressed and proposed as amendments have been taken into account — though not sufficiently. This is not a perfect resolution; it is the possible resolution. It is the hope of my delegation that by adopting resolution 1559 (2004) the Security Council will be able to make an effective contribution to the strengthening of the political independence, territorial integrity and sovereignty of Lebanon in its territorially recognized borders. It is also our hope that its adoption will not have undesirable and unexpected effects, since the situation in Lebanon does not represent an immediate threat to peace and security.

In the view of my delegation, the approach adopted by the Security Council could have been better balanced and could have taken into account very delicate geostrategic realities of the region. The Council could also take a more proactive role in the search for a comprehensive solution to the problems prevailing in the region. My delegation would have preferred — as we expressed during the consultations on the draft resolution — to seize the opportunity for the Council to encourage the Governments of Lebanon and Syria to conclude a bilateral agreement under the auspices and guarantees of the Security Council. That approach, in the view of my delegation, might better safeguard the interests of all parties concerned and better guarantee the attainment of the objectives set by the international community, thus contributing to a better way and defusing tensions prevailing in the entire region.

Mr. Baja (Philippines): We abstained in the vote on resolution 1559 (2004) because it cannot be justified as part of the role given to the Security Council in the collective security system under the United Nations Charter. There is a fine but nevertheless clear boundary that demarcates the role of the Council in the maintenance of international peace and security as embodied in Article 39. Resolution 1559 (2004) crossed that line, and it collides head-on with the long-standing and revered principle of non-interference embodied in the Charter.

We acknowledge the generally constructive rationale of the resolution — to promote and enhance the territorial integrity and sovereignty of Lebanon. But no matter how noble and well-intentioned its motives are, resolution 1559 (2004) places the Council in a situation of acting in a manner that it seeks to excise in the first place, and that is not to interfere in what is essentially internal affairs of a country. Article 2, paragraph 7, of the Charter is sacrosanct. The amendments presented by the Russian Federation would have removed the resolution from a distinctly Lebanese internal affairs context.

Our action today is aimed at preserving the integrity of the United Nations Charter and its time-honoured values of sovereign equality of States and non-interference. As a founding Member, we feel a

special duty to the Organization to show resolve in defence of its Charter and principles.

Mr. Adechi (Benin) *(spoke in French)*: Benin voted in favour of resolution 1559 (2004). The initiative of the cosponsors was basically intended to help stability in Lebanon, a friendly country that is recovering from several years of civil war and has managed to restore a peaceful democracy. My country voted in favour of the draft resolution because we share the concern to reaffirm the Council's support for the sovereignty and independence of Lebanon.

Resolution 1559 (2004), just adopted, deals with the situation in the Middle East. We would like to reaffirm here our support for the efforts to bring about a comprehensive political settlement in the Middle East through the withdrawal of all foreign forces present in the countries of the region. Accordingly, we have repeatedly expressed our commitment to peace and security in that region.

The President *(spoke in Spanish)*: There are no further speakers inscribed on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 8.30 p.m.